



UNITED NATIONS
NATIONS UNIES

ICTR-97-36A-I
17-04-2009
(854-853)
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

854
LVAL

OR: ENG

TRIAL CHAMBER I

Before Judges: Florence Rita Arrey, Presiding
Mparany Rajohnson
Aydin Akay

Registrar: Adama Dieng

Date: 17 April 2009

THE PROSECUTOR

v.

Yussuf MUNYAKAZI

Case No. ICTR-97-36A-I

JUDICIAL RECORDS/ARCHIVES
17 APR 17 12:32
RECEIVED

DECISION ON PROSECUTOR'S MOTION TO VARY ITS WITNESS LIST

Rule 54 of the Rules of Procedure and Evidence

Office of the Prosecutor:
Richard Karegyesa
Segun Jegede
Didace Nyirinkwaya

Counsel for the Defence
Jwani Mwaikusa
Richard Kazadi Kabimba

na

853

1. The trial in this case will commence on 22 April 2009. In accordance with Rule 73bis(E) of the Rules of Procedure and Evidence (RPE hereinafter), on 30 March 2009, the Prosecutor filed its Pre-Trial Brief including a list of 30 witnesses he intends to call. On 16 April 2009, the Prosecutor filed its proposed order of appearance of prosecution witnesses, which contains 12 witnesses.¹

2. The Prosecutor now moves the Chamber to grant leave to remove 10 witnesses (ADC, BON, BPW, BWT, BWZ, LAD, LAK, LY, R and Z) from the prosecution list of witnesses and dispense with their appearance at trial, pursuant to Rules 54 and 73bis(E) of the RPE.²

3. The Chamber notes that, during an informal meeting held on 17 April 2009 between the Chamber and the parties, the Defence submitted that it will not file any response to the present motion.

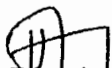
4. In the Chamber's view, the removal of 10 witnesses from the Prosecution list will contribute to expedite the proceedings and is therefore in the interest of justice, judicial economy and for the proper conduct of the trial, while not infringing in any way the rights of the Accused.

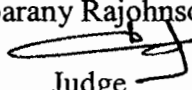
ACCORDINGLY, THE CHAMBER


I. GRANTS the Prosecution Motion to remove witnesses known by the pseudonyms ADC, BON, BPW, BWT, BWZ, LAD, LAK, LY, R and Z; and

II. ORDERS the deletion of said witnesses from the Prosecutor's list of witnesses.

Arusha, 17 April 2009, done in English.


Florence Rita Arey
Presiding Judge


Mparany Rajohnson
Judge


Aydin Akay
Judge

[Seal of the Tribunal]



¹ Proposed Order of Appearance of Prosecution Witnesses, filed on 16 April 2009.

² Motion to Vary List of Prosecution Witnesses under Rules 54 and 73 bis (E), filed on 16 April 2009.